

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

SEAIN C. HULL,

Plaintiff,

v.

Case No. 2:23-cv-3940
Judge James L. Graham
Magistrate Judge Chelsey M. Vascura

DAVID YOST, *et al.*,

Defendants.

Order

This matter is before the Court to consider a Report and Recommendation (ECF No. 16) issued by Magistrate Judge Vascura on March 12, 2025. Plaintiff Seain C. Hull, an Ohio State inmate proceeding without the assistance of counsel, brings this action against numerous state officials.. On February 9, 2024 Plaintiff ‘s was ordered to pay the full \$402 filing fee within thirty days (ECF No. 6). The deadline has since passed and Plaintiff has still not paid the required filing fee.

The Magistrate Judge found that the Court explicitly warned Plaintiff that a failure to timely pay the full filing fee would result in the dismissal of the action. Even though Plaintiff is proceeding *pro se*, the procedural rules in ordinary civil litigation still apply and should not be interpreted to excuse mistakes. *McNeil v. United States*, 508 U.S. 106, 113 (1993). Due to Plaintiff’s failure to comply, the Magistrate Judge recommends that the matter be dismissed for failure to prosecute pursuant to Federal Rule of Civil Procedure 41(b).

The Report and Recommendation specifically advised the parties that failure to object to the Report and Recommendation within fourteen (14) days “may forfeit rights on appeal” including the right to have the District Judge review the Report and Recommendation *de novo*, and also operates as a waiver of the right to appeal the decision of the District Court adopting the Report and Recommendation.” (ECF No. 16 at 3-4).

The deadline for filing objections to the Report and Recommendation has since expired, and no party has objected to the Report and Recommendation. The Court agrees with the Magistrate Judge’s Report and Recommendation (ECF No. 16) and it is hereby **ADOPTED**.

It is so ORDERED.

s/ James L. Graham
JAMES L. GRAHAM
United States District Judge

DATE: March 27, 2025